

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

TRACY KRONTZ,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO.: 1:07-CV-303-TS
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Pro se Plaintiff Tracy Krontz appeals the Commissioner's final decision denying her application for disability insurance benefits. The Court referred this matter to Magistrate Judge Roger Cosbey for a report and recommendation on March 26, 2008. On November 24, Magistrate Judge Cosbey filed his Opinion and Order recommending that the Commissioner's decision be reversed and the case be remanded for further proceedings because the Administrative Law Judge (ALJ) did not consider the entire case record during the credibility determination process, and did not explain the medical source opinion that he relied on in determining the Plaintiff's residual functional capacity.

This Court's review of the magistrate's report and recommendation is governed by 28 U.S.C. § 636(b)(1)(C) which provides in part:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate. The judge may also receive further evidence or recommit the matter to the magistrate with instructions.

The statute requires objections to the magistrate's report and recommendations to be

made within ten days of service of a copy of the report. *Id.*; *see also* Fed. R. Civ. P. 72(b) (setting forth procedures for objecting to a magistrate's report and recommendation and the district court's resolution of any objections). The Commissioner has not objected to the Opinion and Order and the recommendation contained therein.

Having reviewed the Opinion and Order prepared by the magistrate, the Court ADOPTS the Opinion and Order [DE 40] and ACCEPTS the recommended disposition. Accordingly, the decision of the Commissioner's is REVERSED and REMANDED to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings in accordance with Magistrate Cosbey's Opinion and Order.

SO ORDERED on January 12, 2009.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT